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Attorney for Defendant
SINH VAN TRAN

6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
7 * * *

8 UNITED STATES OF AMERICA,) 2:20-CR-301-RFB-BNW-2
9)
10 Plaintiff,)
11 v.) STIPULATION AND ORDER TO
12 SINH VAN TRAN,) CONTINUE SENTENCING
13)
14 Defendant.) (2nd Request)
15)
16 IT IS HEREBY STIPULATED by and between VIN SINH TRAN, Defendant, by and
17 through his counsel MICHAEL J MICELI, ESQ, and the United States of America, JACOB
18 OPERSKALSKI, Assistant United States Attorney, that Sentencing in the above-captioned
19 matter currently scheduled February 23, 2023 at the hour of 10:30 a.m., be vacated and
20 continued for sixty (60) days or to a date and time to be set by this Honorable Court.
21
22 This Stipulation is entered into for the following reasons:
23
24 1. Counsel for defendant has spoken to his client and he has no objection to this
continuance.
25
26 2. Counsel has spoken to AUSA Jacob Operskalski and he has no objection to the
continuance.
27
28 3. Defendant is out on pretrial release.

4. Counsel will need additional time to adequately review the Presentence Investigation Report and confer with his client regarding the issues and concerns that client has.
5. Denial of this request for continuance would deny the parties herein time and the opportunity within which to effectively and thoroughly research and prepare for sentencing in this case, taking into account the exercise of due diligence.
6. Additionally, denial of this request for continuance would result in a miscarriage of justice.
7. For all the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing date.
8. This is the 2nd request for a continuance of the sentencing date in this case.

PITARO & FUMO, CHTD.

UNITED STATES ATTORNEY

/s/ Michael J. Miceli, Esq.
MICHAEL J. MICELI, ESQ.
601 LAS VEGAS BOULEVARD, SO
LAS VEGAS, NEVADA 89101
ATTORNEY FOR DEFENDANT
SINH VAN TRAN

/s/Jacob Operskalski, Esq.
JACOB OPERSKALSKI, ESQ.
ASSISTANT UNITED STATES ATTORNEYS
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LAS VEGAS, NEVADA 89101

1 UNITED STATES OF AMERICA,) 2:20-CR-301-RFB-BNW-2
2)
3 Plaintiff,) FINDINGS OF FACT AND
4) CONCLUSIONS OF LAW
5 v.)
6 SINH VAN TRAN,)
7 Defendant.) (1st Request)
8

9 FINDINGS OF FACT

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
11 Court finds:

12 This Stipulation is entered into for the following reasons:

- 13 1. Counsel for defendant has spoken to his client and he has no objection to this
continuance.
- 14 2. Counsel has spoken to AUSA Jacob Operalski and he has no objection to the
continuance.
- 15 3. Defendant is out on pretrial release.
- 16 4. Counsel will need additional time to adequately review the Presentence Investigation
Report and confer with his client regarding the issues and concerns that client has.
- 17 5. Denial of this request for continuance would deny the parties herein time and the
opportunity within which to effectively and thoroughly research and prepare for
sentencing in this case, taking into account the exercise of due diligence.
- 18 6. Additionally, denial of this request for continuance would result in a miscarriage of
justice.
- 19 7. For all the above-stated reasons, the ends of justice would best be served by a
continuance of the sentencing date.
- 20 8. This is the 2nd request for a continuance of the sentencing date in this case.

CONCLUSIONS OF LAW

The end of justice served by granting said continuance outweigh the best interest of the public and defendants in a speedy trial since the failure to grant said continuance would likely result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing taking into account the exercise of due diligence.

ORDER

IT IS ORDERED that Sentencing currently scheduled for February 23, 2023 at the hour of 10:30 a.m. be vacated and continued to this 25th day of April, 2023, at the hour of 2:30 p.m. in Courtroom 7C.

DATED this 16th of February , 2023

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE